



KASHMIR

R E P O R T

November-December 1994

Volume 6 Nos. 11&12

India's Commitment to Kashmir

Concerned Indians call on New Delhi to fulfil its commitment

By Dr Dharendra Sharma

On 26 October 1947, while the New Delhi government was ordering the airlift of its forces to Srinagar, Jawaharlal Nehru sent an urgent telegram to the British Prime Minister Clement Attlee: "I should like to make it clear that the question of aiding Kashmir in this emergency is not designed in any way to influence the state to accede to India. Our view, which we have repeatedly made public is, that the question of accession

in any disputed territory or State must be decided in accordance with the wishes of people and we adhere to this view".

Next day, on October 27, as the Indian forces were landing in Srinagar, Nehru repeated the message to the Prime Minister of Pakistan, Liaquat Ali Khan, categorically stating that India's military movements in Kashmir were not designed in any way to influence the State's accession to India.

Four days later, on 31 October 1947, in another telegraphic message to Liaquat Ali Khan, Nehru

reiterated India's commitment, "we shall withdraw our troops from Kashmir as soon as peace and order are restored, and leave the decision about the future of the State to the people of the State. This is not merely a pledge to your government but also to the people of Kashmir and to the world".

Again on 2 November 1947, Nehru,

"The real challenge to India's sovereignty over Kashmir does not come from across the border, but from India's continued violation of social contract with the Kashmiri people."

in a nationwide Radio broadcast reiterated that "we have no desire to impose our will on Kashmir but to leave the final decision to the people of Kashmir" and that India "agreed on an impartial international agency like the United Nations supervising any referendum".

On 12 February 1951 Nehru, in the Parliament, stated: "If, after a plebiscite, the people of Kashmir say, 'We do not want to be with India', we are committed to accept that. We shall accept it, though it might pain us. We will not send any army against them. We will accept that, however, hurt we might feel about it; we will change the

constitution if necessary".

Again on 7 August 1952, India's Prime Minister proclaimed before the Parliament, "it is only the people of Kashmir who can decide the future of Kashmir. It is not that we have merely said that to the United Nations and to the people of Kashmir, it is our conviction. ... It is for the people of Kashmir to decide their own future. We will not

compel them. In that sense, the people of Kashmir are sovereign".

That was our country's commitment to the people of Kashmir at the time of the historical turn of events when New Delhi ordered its army into Kashmir - a territory of 85,000 square miles, situated in the heart of South-Central Asia, sharing its borders with Afghanistan, China, Pakistan and India; with a population of 13 million, which makes it larger than 75 other independent nations who are members of the United Nations.

That day, on 27 October 1947, as it is evident from the historical papers of the Government of India, New Delhi had, for all

Continued on P-2

India's Commitment to Kashmir

Continued from P-1

diplomatic and constitutional purposes, recognised Kashmir as a sovereign state, and Pakistan and India both had assured the United Nations, that their military presence on the Kashmir territory was conditional and temporary. Both sides had agreed in the UN to abide by the choice of the people of Kashmir.

During the last 37 years, whenever Kashmiri leaders insisted on the withdrawal of troops or asked for the plebiscite, New Delhi used open repression to silence the voice of Kashmir. The unchallenged national leader and the first Prime Minister, Sheikh Abdullah on, 9 August 1953 was removed from the office at gunpoint, and was imprisoned for 21 years without trial.

In the 1980's, a highly educated and ambitious new generation of Kashmiris arrived on the scene. New Delhi once again imposed its own choice on Kashmir, rigged elections, and foisted corrupt men to rule the state. Once again, New Delhi used military boots to suppress the Kashmiris and several young leaders were imprisoned, or killed and others simply disappeared.

All through the 80's, smouldering discontent reached volcanic proportions but the Indian government continued to govern the state with the help of military repression. The final blow came in the 1990's when, after the Russian withdrawal from Afghanistan, the entire Islamic fanatical forces and finances supplied by the CIA and drug smugglers aided by Pakistan Intelligence agencies, shifted their field of operation to Kashmir, to fish in the troubled waters of Hindustan.

But the question is not of outsiders making trouble in India's internal affairs, but that of the people of

Kashmir feeling betrayed by a powerful, trusted and neighbourly friend. For years, and particularly since the imprisonment of Sheikh Abdullah, anyone who asked for a free and impartial referendum was treated as a traitor and subjected to imprisonment and, if necessary, killing and extermination.

Now every man, woman and child of Kashmir has joined the struggle, which began in December 1989, when the people of Srinagar marched through the city shouting 'Azadi, Azadi; Indian dogs go home'. The entire administration collapsed, when the Police Force of Kashmir

New Delhi's prestigious *Philosophy and Social Action* magazine has devoted a special issue of 27-12-1994 to 'India's Commitment to Kashmir' on the 47th anniversary of Indian military occupation of Kashmir. *Kashmir Report* in its October 1994 issue carried WKFM President, Dr Ayyub Thukar's Appeal to the Indian People published by P&SA magazine. KR has led this issue with the text of the magazine's editorial by its editor, Dr Dharendra Sharma, who is Professor of Science Policy at the JN University and an anti-nuclear activist. Dr Sharma's editorial was carried in full by India's *Sunday Observer* in its issue of 13/19-11-94 and has been widely reported and received support in letters columns in a number of Indian papers. One such letter is reproduced on page 4.

went on strike.

For the last five years now, India's tricolour has not flown on any Kashmiri house, nor could the Indian authorities have been able to unfurl the flag in Srinagar unchallenged. Kashmiri citizens, against all odds, have demonstrated their strong feeling against the Indian forces which have been deployed in the Vale of Kashmir.

But the Kashmiri people have defied Indian imposition by practising non-cooperation (satyagraha), against the Indian administration. As a result, almost every other day, whenever Kashmiri leaders give the call, the entire Valley is shut down. On their call, no one entered Hazratbal and for weeks no prayer was offered in the historical mosque of Kashmir.

Alluding to this, Malini Parthasarthy rightly states that: "Unlike other States, Kashmir had acceded to India conditionally and that conditional integration was accepted without much serious misgivings by India's post-independence leadership. Thus there is no other choice for the leadership in New Delhi but to come to terms with the historical legacy of the unique nature of the social contract with the people of Kashmir...." And how right she is when she said that the real challenge to India's sovereignty over Kashmir does not come from across the border but from "the continued violation of the social contract with Kashmiri people". Until the Government in New Delhi takes steps to initiate a dialogue with authentic political representatives on specific proposals to devolve more powers to the State, the threat to India's hold over Kashmir is unlikely to recede. (*The Hindu*, 14-3-94).

Professor Alastair Lamb, a noted authority on South Asian border conflicts, has recently raised doubts about the authenticity of the accession of Kashmir to India by the Maharaja on 26 October 1947. It is now for the New Delhi Government to rebut the charge of Prof. Lamb. But India's commitment was beyond the Maharaja's accession to the

Continued on P-4

Bilateralism wouldn't solve Kashmir issue

Bilateralism has not worked in resolving the Kashmir conflict. Tashkent and Simla agreements are proof of it. A just and durable solution of the issue lies in the United Nations resolutions, and satisfying the aspirations of Kashmiri people. The Kashmir conflict is an international dispute, as it is a question of life and death for 13 million Kashmiris.

Any lasting solution of the Kashmir issue must be in accordance with the wishes of 13 million people of the Jammu and Kashmir state. A bilateral settlement without the participation of the Kashmiri people, who are the most concerned party, is doomed to failure.

Bilateralism is a deception which New Delhi uses to keep the lid on its hold on Kashmir. The past five years are witness to the fact that whenever pressure has mounted on India to stop human rights violations in Kashmir, it has resorted to calling attention to the Simla agreement and pledging to resolve all issues bilaterally with Pakistan.

This approach suits India in many ways. First, it helps it confuse world opinion by creating the illusion of concern about solving the problem. Secondly, it buys time and diverts attention from the real issue. And thirdly, it helps New Delhi misrepresent the Kashmir conflict as a border dispute between two countries and, not one of the fundamental rights of the Kashmiri people.

It is ironic that the western world hasn't done much in removing the cause of suffering in Kashmir or in restoring the Kashmiri people's fundamental rights as enshrined in UN resolutions. It seems concerned more with economic self-interest than with the moral principles involved.

Western concern about Kashmir is episodic. The complexity of the

By F. Faraz

situation has either been misunderstood or, as it seems obvious, fallen prey to self-interest. The oft-repeated advice to resolve the issue bilaterally means to the Kashmiris that the West is more concerned with peace between India and Pakistan rather than with the real problem of Kashmir.

Western powers, who are so concerned about another Indo-Pak war over Kashmir, could put their worry behind them by finding a solution in accordance with the wishes of the Kashmiri people. Their assertion that the world has changed since the UN's Kashmir resolutions, is the reading of history through bored eyes.

They also know that it was the Indian government which from the beginning, has been torpedoing UN resolutions and has been using dubious arguments to justify its hold on Kashmir. The Indian case on Kashmir has been categorically rejected by the UN Security Council. New Delhi's trickery in Kashmir is no secret now.

Despite Indian insistence on a bilateral dialogue with Pakistan and some Western powers' ditto to it, the issue has remained unresolved. Every bilateral agreement has failed, as have all three wars between India and Pakistan, in removing the bone of contention between them.

It is time that New Delhi and Islamabad allowed the Kashmiri leadership to decide their future. This course has been put forward by the All Parties Hurriyet Conference and by every other Kashmiri leader from time to time. World opinion has also supported this approach. And, the recent release of popular leaders of Kashmir after long detention provides an ideal opportunity to initiate the process.

Ignoring the people of Kashmir could aggravate the already

complex situation further, and another catastrophe may descend on the subcontinent. New Delhi's colonial hold on Kashmir is under constant threat from the Kashmiri struggle. New Delhi's 47-year long rule over Kashmir has never had the support of its people. In fact, New Delhi has been fooling the world by stage-managing elections and installing puppet regimes in Kashmir.

The present struggle is, in fact, an endorsement of the fact that India has never been able to win the hearts of Kashmiri people. It could not gain Kashmiri sympathy through money, or the use of force now has been able to win over Kashmiri opposition to Indian rule.

India bored a passage (Jawahar tunnel) through huge mountains to create a physical link with Kashmir. It played with local politics, orchestrated elections, installed puppet authorities, gave subsidies. But the mind of Kashmiris remained where their heart was.

Kashmiris, it must be sadly realised, are a people who have had their voice choked by centuries of tyranny and foreign rule; but, this does not mean that they could be so unfortunate as to have their voice stifled for ever.

"A moment comes", Pandit Nehru had said at the occasion of India's independence, "which comes but rarely in history, when we step out from the old to the new, when an age ends and when the soul of a nation long suppressed finds utterance".

The soul of Kashmir, in the prolonged suppression of which Nehru himself had played a significant part, now seeks utterance. Kashmiris too made a tryst with destiny long ago, and the time will surely come when they shall redeem their pledge.

India's Commitment to Kashmir

Continued from P-2

people of Kashmir which New Delhi has for the last four decades refused to honour.

Charges and counter charges of violations of human rights have been levelled, but there is no denial that there are no innocent fighters on any side. But in the continuing the conflict, the people are becoming insensitive to human suffering, and the divide is widening, tearing apart the social fabric of age-old Kashmiri brotherhood.

People on both sides of the divide have lived for centuries together, but if violence is allowed to continue, New Delhi and Islamabad would not be a safe haven for the perpetrators of hatred and violence. What has happened in Afghanistan, is likely to occur to the Vale of Kashmir. It is, therefore, high time for all sides to eschew violence and hatred and work for a settlement

which must meet the aspirations of the people of Kashmir.

Peace Offensive

Violence has continued for too long - it must be stopped. As a first step, let the Government offer a conditional cease-fire for 48 hours (on Diwali or Christmas), and thus encouraging the militants to respond to the peace-offensive. If they agree, the Government may halt its search and destroy operations. Following the Kashmiri response, New Delhi may agree to offer a conditional withdrawal of its armed forces from the entire civil sectors.

Currently, every street corner is every township of Kashmir is manned by armed soldiers behind the sandbags. This is not conducive to win the hearts and minds of the people, nor could any political process be expected to succeed in such an inimical atmosphere. The military withdrawal, however, shall

be on the condition that the Kashmiri leadership agrees to the safe-return of Hindu refugees to their ancestral homes, and that the militants guarantee them residential safety in the Valley.

Having achieved this, I believe, some political organisations or discussion can be started with the Kashmiri leaders on the advantages and disadvantages of an independent Kashmir, within SAARC, whose mentality and sovereignty will be guaranteed by India and Pakistan jointly. We can also depute someone like Atal Behari Vajpayee to meet the Kashmiri leaders in order to convince them of the benefits of a non-theocratic and democratic autonomous Kashmir, staying with the Indian Republic. But in the end, let the Kashmiri make the final choice, because as Nehru had said, "the people of Kashmir are sovereign".

Kashmir problem can't be left unattended

By Sudhir K. Gupta

As amicable and acceptable solution to the Kashmir problem has been haunting both India and Pakistan since 1947. Generations of leaders on both sides have attempted to resolve the dispute without success. The time spent on parleys and mutual visits has been a colossal waste of time and resources.

It has miserably failed even to arrest the continuous downward trend of mutual distrust in bilateral relations. Both sides are stubbornly glued to their publicly proclaimed and oft-repeated positions unwilling to budge one iota.

Given this state of affairs, why hesitate in accepting third party mediation if that genuinely helps in

breaking the deadlock and moving nearer a final solution to the vexed problem honourable to both sides. The Kashmir problem, like a

New Delhi's *Hindustan Times* carried this letter in its issue of 26 November 1994. As it is a representative view of the new realisation which is gaining growing adherents among India's opinion-makers and others, the letter is reproduced in full. Courtesy of the *Hindustan Times*.

festering wound, is fast eating into the vitals of both countries. The longer it is left unattended, the greater the damage. Time alone will not act as an opiate or antidote or provide any magical solution on a

platter.

The Government on both sides must discuss all facts threadbare and in a spirit of camaraderie and with the sole view to ushering in an era of neighbourly peace and friendship and not of gaining one-upmanship over the other.

Given the right will and determination to succeed and, with a little help from friends, solutions will crop up like jack in a box. The architect responsible in bringing about a settlement to this long outstanding dispute would surely earn the gratitude of all mankind and would be the best recipient for the coveted Nobel Prize and the Bharat Ratna.

Indian occupation forces brutality is visible everywhere in Kashmir

An eyewitness account of life in Indian occupied Kashmir
by Dr Siraj Shah

For anyone coming out of the shabby Srinagar airport, the sight of soldiers, armoured vehicles and gypsy vans mounted with machine guns gives one an impression of walking through a war zone. The entire distance of 12 km from the airport to the city centre, is dotted by a sandbagged bunker every hundred yards. At intervals of every 200 yards Indian occupation forces patrol both sides of the main road with their automatic weapons pointing at the passers by.

Srinagar city, an old town of wood and brick buildings beside the muddy Jhelum River, looks like a military garrison. Paramilitary forces stand like the slats of a picket fence along the streets. Sandbagged bunkers obstruct busy intersections. Broad swaths of Kashmir's capital have been reduced to rubble - burned in April 1993 by Indian soldiers. Charred buildings in Lal Chowk, the historic main square, stand witness to one of the many Indian forces' onslaughts on the Valley.

All but a handful of hotels have been turned into military barracks with their windows barricaded by sandbags. At dusk, the city dies, except for the crackle of gunfire when Kashmiri militants harass the Indian forces.

The peaceful Valley of Kashmir has been turned into a Valley of death. Nearly 400 martyrs' graveyards dot the Valley, each with 300 to 400 Kashmiris who have died since late 1989. Every village and town has its own graveyard of martyrs commemorating those who have sacrificed their lives for freedom.

Crackdowns

On Saturday, November 12, around 5 AM, I was woken up by a loudspeaker announcement, ordering every male person to assemble in the park of a local mosque. There was no electricity in the area at the time. My 70-year old mother came rushing up with a lighted candle into my room in panic and told me there was a "crackdown" - "You should not have come to Kashmir".

It was a cold morning as I left my house at 5.30 AM along with my younger brother and 60-year old uncle, carrying my British passport along with me. Outside the houses, hundreds of occupation forces in full combat gear, hands on the triggers of automatic weapons stood, some 10 yards apart, watching every alleyway and entrance to the locality.

About 500 yards from our house the entire male population of the locality was "herded" in the park of a local mosque. Nearly 2,000 fear-stricken people, some as old as 70 years, others as young as 10, assembled in the park, waiting for the next orders from their captors. Four members of the occupation forces, with loaded weapons, stood at the four corners of the park; two stood at the gate and four were on the roof-tops of the adjacent houses.

The following orders were repeatedly announced on megaphones:

1. Every one must sit down facing each other. (the grass underneath was soaking wet with dew)
2. No one should attempt to look at those who would be identified as militants.
3. No one was to leave the park

until an identification parade was completed.

While the male population was kept out of their houses, search parties of the security forces, accompanied by two members of the local police force, conducted house to house searches of the entire locality of some 250 houses. And the terrified womenfolk, imprisoned in their own homes, were crying and praying for the safe return of their near and dear ones - a scene reminiscent of Nazi atrocities during World War II.

Hoping that I will be spared of this humiliating exercise, I showed my British passport to the officer in charge of 81 Battalion BSF. He first stared at me and then gave a vicious smile, nodded his head and said: "As soon as you are identified by the cats we will let you go".

I insisted on staying out of the park waiting for the cats (informers) to arrive. Meanwhile an elderly person with a carrier bag full of X-rays, scan reports and prescriptions begged BSF officer to let him go, as he was too ill to stand on his feet. The feeble old man, perhaps in his late seventies, showed his medical file to the officer explaining that he suffered from prostate trouble and needed to urinate almost every 20 minutes.

The BSF officer refused to let him go. I could not bear the sight of this inhuman behaviour and told the officer that the old man was too ill, he couldn't even stand on his feet and would he please let him go and asked why was he humiliating innocent people.

Continued on next page

Indian forces brutality in Kashmir

Continued from previous page

The officer's eyes became red with anger: "You do not know. Last week, in Batmaloo (a nearby locality), a 45 year old man started firing at me. How can I let him go? They are all militants". He then grinned at the old man and reluctantly put his signature and date on the palm of his right hand and ordered him to go. The signature on his palm indicated to the other soldiers patrolling in the area, that the old man has been "checked" and passed as a non-militant for that day.

The time was now approaching 9 AM. By now every person in the park was starving and shivering with cold, fear and anguish clearly visible on their pale faces, squatting and facing each other, waiting for their fate to be decided by some "hooded informers" who were expected to arrive at the scene any time.

Meanwhile a young student walked out of the park and approached the officer, saying, "Sir, I will miss my engineering exams please let me go". The officer asked him some questions and told him "I will let you go before 10 AM after you have been paraded in front of the cats. You will not miss your exam; go and sit in the park and wait". The boy was pushed back into the park by a soldier.

It was around 10.15 AM when 8 Gypsy jeeps, an army ambulance and a large armoured vehicle arrived at the scene. The jeeps, with (cats) "hooded informers" inside, were parked in a row some 10 yards apart, directly facing the park. I was then pushed into the park by an angry soldier and asked to sit and await my turn.

People were then ordered to stand up and form a queue. One by one they were first body searched and then asked to stand in front of the first Gypsy jeep for about a minute.

When the informer inside would wave his hand, a soldier would then take him in front of the next jeep and so on, until each person was paraded in front of all the 8 Gypsy jeeps. If the 'cat' suspects or identifies a person as a militant, he hints to the driver of the jeep to toot the horn. Immediately two soldiers cover his head with a blanket and drag him into a waiting armoured vehicle. The armoured vehicle is in fact a mobile interrogation cell. 18 young men were nabbed in a barbaric way on that ill-fated day.

Soon it was going to be my turn. What if the cat identified me as a militant? Who would listen to me here? All these questions kept running through my mind. I was first body searched and then paraded in front of the Gypsy jeeps like all others. I was lucky to be set free from this nightmare of a life and death parade. The whole exercise ended at mid day and the crackdown was called off at 12.30 Noon. My 86-year old father, a retired headmaster, hugged me as I entered the house with tears running down his face; thankful to God I was not picked up as a suspected militant.

The purpose of crackdowns and other punitive actions is to harass and terrorise the people of the locality so that they will not sympathise with the militants. Paradoxically, the reverse is happening. Whenever there is a crackdown in an area, all the houses in that locality keep their front doors open so that the militants can escape unharmed!

Tools of Absolute Repression

The social life in Kashmir is under the siege of trigger happy men of the Indian occupied forces. The ubiquitous Gypsy patrol jeeps and sten-wielding forces are often the

only symbol of life in today's Kashmir.

Despite India's condemnation from a number of international human rights organisations, there has been no let up in the atrocities perpetrated against civilians. Indian forces daily cordon off large sections of the city, pulling hundreds of residents out of their homes in search of militants and weapons. Each day, young men suspected of being militants are nabbed by Indian forces in what residents have dubbed "catch-and-kill" operations. On an average 15 people are killed daily in the violence between freedom fighters and the occupation forces; most of those killed are innocent civilians.

Every Kashmiri who is arrested is invariably tortured by the occupation forces. Exhaustive evidence has been gathered by local human rights activists, lawyers and doctors to support the assertion. Visiting teams of investigators have, over the last four years, come to the Valley and confirmed this, as have several journalists, both Indian and foreign. The methods employed are barbaric and inhuman.

Security laws like TADA (The Terrorist and Disruptive Activity Act); NSA (National Security Act); PSA (The Jammu and Kashmir Public Safety Act) and AF(SP)A (The Armed Forces (Special Powers) Act), are all currently in force in the state. Many sections of these draconian laws not only violate international laws relating to human rights - to which India is a signatory, but Indian constitution as well. According to Ravi Nair, Director of the New Delhi-based South Asia Human Rights Documentation Centre, "TADA is not a law, it is a tool of absolute repression". No civilised society

Continued on next page

Indian forces brutality in Kashmir

Continued from previous page
and democracy in the world would conceive them in the name of "security" and "law and order".

From the records maintained by journalists, lawyers and hospitals, more than 34,679 young Kashmiris between the ages 15-35 have been killed in the past five years. Since August 1992, more than 600 people have been executed without trial by the occupation forces, after being taken into custody, according to the Kashmir Bar Association.

Over 18,972 Kashmiris are languishing in jails or detention centres all over India, without charge or trial. According to Mian Abdul Qayoom, President of the Kashmir High Court Bar Association, only 30 of more than 14,400 people detained under TADA in the state in recent years have actually been charged. The law permits a suspect to be jailed on the basis of an "information report", for six months. While investigators prepare charges, it permits a virtually automatic six-month extension, Mr. Qayoom noted. He said that after a year, the suspect must be freed. But when he is on the verge of release, police routinely file another information report with new allegations, restarting the process, as a result of which the suspect is never freed.

Economy

Kashmir is sliding into a deep depression, the local economy is in ruins and, the tourist trade, the back bone of Kashmir's economy, has completely dried up. Most established tourist-dependent businesses have closed down while some well off businessmen have emigrated. A large community of house boat owners have either joined the militancy ranks or have left the Valley to find alternative means of livelihood. Daily wage earners such as labourers,

hawkers, rickshaw, minibus and taxi drivers have been severely affected by frequent curfews and strikes. Daily commodities, although available, are far beyond the reach of ordinary wage earners. A kilogram of mutton in 1990 cost Rs 25; the same now costs Rs 70. Inflation is currently running at around 400 per cent.

The post offices neither despatch nor deliver letters. Electricity supplies are rationed with frequent black-outs and telephones are always on the blink. As there have no new government development projects in the state, a large number of qualified civil engineers are without jobs. Many have joined the militancy.

Education

Due to frequent crack-downs, curfews and civil strikes education in schools, colleges and universities has been severely disrupted. The standard of education has dramatically fallen due to a shortage of trained teachers. Parents are afraid to send their children to schools for fear of them being caught up in a crackdown or in cross-firing. Nearly 200 schools have been burnt down since the uprising. And, with mass migration of Kashmiri Pandits, most teaching jobs held by them in the Valley are lying vacant.

Recently a network of gangs operating throughout the valley, issuing fraudulent degree certificates and forged academic documents was uncovered by the local police. Thousands of youths are in possession of fake graduate, post-graduate, matriculation and even birth certificates. The entire education system in the state is on the verge of a complete collapse.

Kashmiri migrants

About 150,000 people, among them 110,000 Kashmiri Hindu

Pandits and 40,000 Muslims, have fled the Valley. The flight of Pandits is said to be a diabolic operation, masterminded by state's former Governor Jagmohan, who wanted to give the Kashmiri revolt against Indian occupation a communal colour. Kashmiri Pandits were provided all facilities, including government transport, to move out either to Jammu or India. It is a sad reflection of the Kashmiri Pandits' attitude towards the freedom struggle which has ruptured the age-old links between the two communities.

In Jammu, migrant Pandits are housed in brick houses with little front gardens. A few are housed in spacious tents, with electricity and water supplied free of charge. Each family is given Rs. 1,500 per month and each member gets free rations every month - nine kilograms of rice, two kilograms of wheat flour and one kilogram of sugar. Migrant Pandits who were in government jobs as doctors, teachers etc. continue to draw their monthly salaries. Almost every Pandit who owned a property in the Valley has claimed compensation from insurance companies for fire damage, which are said to have been often deliberate acts of arson.

Health Care

A marked increase in the incidence of psychiatric disorders has been noticed in the Valley since early 1990, related in one way or the other to the prevailing tensions, according to Dr A.A. Beig, an eminent psychiatrist in Kashmir. The causes are either the unnatural death of a friend or a relative, rape or gang rapes, loss of property in arson attacks, post-torture physical / psychological state and the ever present fear

Continued on next page

Indian forces brutality in Kashmir

Continued from previous page
of warrantless searches and frequent crackdowns by the forces.

A large number of Kashmiris have been physically and mentally scarred for life. Almost every household in Kashmir consumes tranquillisers like valium, calmpose and anti-depressants: fear and anxiety are generated by military operations. All these medications are freely available over the counter without a doctor's prescription.

All hospitals are regularly raided and searched by the forces. In Lal Ded Women's Hospital the forces have entered labour rooms when deliveries are actually taking place and even marched into operation theatres while operations are being conducted.

In the Bone and Joint Hospital, corridors are full of patients with amputated, broken and fractured legs and arms. Over 50 amputations were carried out in the hospital between 1989 and 1993.

Additionally, 1500 major operations have been conducted following bullet injuries. The number of indoor admissions averages 12,000 a year for the last four years and outpatient attendance has shot up to 90,000 a year. During Jag Mohan's governorship in 1990, over 255,000 people attended the outpatient departments. The number of bullet, blast and firearm injuries has been increasing over the years from 36 in 1989 to 414 in 1993. An alarming increase in the incidence of Acute Renal Failure, as a result of torture has been reported from the department of Nephrology, at the Institute of Medical Sciences, Soura. 60 cases of Acute Renal Failure due to Post-Torture Rhabdomyolysis (kidney damage due to crushed muscles), have been so far treated at the institute between 1989-1993, coinciding with

the widespread use of torture in custody of occupation forces.

The delay in treatment, of victims of physical torture in the interrogation centres, has resulted in a sharp increase in the death rate among them. It is of interest to know that only two such cases have been reported in literature in the World War II. There are said to be only two dialysis machines to cater for the needs of the entire population of the state, one of which at present is out of order.

Nearly all hospitals, are facing serious shortages of staff and essential medical supplies to deal with serious gunshot wounds and blast injuries. In a period of nine months, between January and October 1992, 2,276 cases of gunshot wounds and blast injuries were treated in the department of Surgery, at the Medical Institute Soura alone.

Community health programmes which had been in place for years have ceased. Maternal, child health-care and immunisation programmes have also virtually ceased due to difficult transportation, frequent curfews and crack-downs. Outbreaks of diphtheria, cholera, typhoid, an increasing number of cases of whooping cough, polio myelitis and neonatal tetanus have been reported from various parts of the Valley.

Drastic reductions in professional and ancillary staff, together with shortages of supplies and equipment have rendered many primary care centres and district hospitals non-functional. Doctors and other medical staff have been frequently threatened, beaten and detained. A junior colleague of mine in Srinagar told, how the occupation forces had beaten him, fracturing his left arm, despite the fact that he had saved

the life of a BSF officer by putting up an intravenous drip on him when their patrolling party was ambushed by militants in Handwara last year.

Medical negligence and lack of any legislation on prescribing drugs have compounded the suffering. 14 people lost their lives last year due to a drug called Vovoran prescribed for pain relief. No one is able to take up the issue as there is total lack of law-enforcement agencies and the collapse of the legal system in the state.

Struggle for Independence

In the eyes of the occupying authorities, any one who cries out for freedom and supports the freedom struggle is a militant. He is arrested, tortured, held in custody or killed. Yet, mass militancy in the struggle for freedom is a reality which New Delhi has hopelessly failed to contain, despite pouring nearly half a million soldiers into the state.

Public support for militancy, massive protest demonstrations, women's auxiliaries, frequent civil curfews, protests by lawyers, doctors, teachers and local police are indicators that the freedom struggle has the full grass-roots support of the Kashmiri people. Repression has left hardly any room for open political activity. As a result Kashmiri youth have been forced to take up arms. Unlike Punjab, the militants in Kashmir are not resorting to mass killings of innocent people. Almost all the people assassinated by freedom fighters in the past four years were reported to be informers and police agents and many of them were Kashmiri Muslims.

[The writer, the UK-based Kashmir Council for Human Rights Vice-President had visited Indian occupied Kashmir in November '94]